



Washington
Secretary of State
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MEMORANDUM

TO: Spokane County Canvassing Board

FROM: Samantha Duncan
Elections Certification and Training Program
Office of the Secretary of State

RE: Special Election Review – Legislative District 6 Pos. 1 Recount

DATE: December 7, 2006

Pursuant to Revised Code of Washington (RCW) 29A.04.570, the Office of the Secretary of State Elections Certification and Training Program conducted a special review of Spokane County's post-election procedures for the November 2006 General Election. The closeness of the race for Legislative District 6, position 1, required a mandatory machine recount. This recount was also observed.

The Spokane County elections staff was pleasant and demonstrated a willingness to share information with the reviewer. This cooperation made the review a positive experience. It is apparent that the staff is knowledgeable and dedicated to preserving the integrity of the election process.

The following recommendations are intended to assist the Spokane County Elections Department in improving election procedures. The Spokane County Canvassing Board may respond individually or as a group to these review recommendations in writing by December 21, 2006. Any written response will be included in the Final Report and kept on file in the Office of the Secretary of State.

Certification Reconciliation Report

Spokane County has 235,535 active registered voters. Out of 159,206 mail ballots returned, 159,204 were accounted for as either counted or rejected. A difference of only two in such a large county is commendable. While the correct numbers were entered on the certification reconciliation report, there was no explanation provided for the unaccounted for ballots. There was also a math error on the report in calculating the total registered voters as a sum of the active and inactive registered voters.

RCW 29A.60.235 states in part, “(1) The county auditor shall prepare, make publicly available at the auditor’s office or on the auditor’s web site, and submit at the time of certification an election reconciliation report...”

WAC 434-250-130 (7) “A reconciliation that all absentee ballots counted plus all absentee ballots rejected is equal to the total number of absentee ballots received.”

Recommendation: The reconciliation report is intended to account for all ballots received by the County Auditor. The number of ballots received should equal the number counted plus the number rejected. If the numbers do not match, the county should indicate why. This process is extremely important as it is verification that all ballots that should have been counted were counted. Spokane County Elections should verify that all numbers on the reconciliation form are correct before submitting it to their county canvassing board to be included with the official results.

Tabulation and Reconciliation

By and large, Spokane County Elections does a fine job processing the mail ballots. It was evident from the recount results however, that there were four ballots tabulated in the recount that were not actually originally tabulated. The most likely reason for this is operator error with the tabulation machines. If a ballot is not read correctly by the machine, it must be re-fed so it can be tabulated. If an operator neglects to re-feed the ballot through, it does not get tabulated, but will be mixed in with the correctly tabulated ballots. The procedures followed by Spokane County Elections do not give the tabulator a number of ‘ballots to be tabulated’ to compare to, so it is not immediately evident if a ballot has been missed.

Suggestion: Steps must be taken to guarantee that all ballots to be counted are tabulated. Procedures should be developed that will allow the tabulator to verify that the correct number of ballots has been counted for each batch or precinct that is being tabulated at that time. The Certification and Training Program is available to assist Spokane County Elections in any procedural changes necessary to accomplish this.

Conclusion

Spokane County Elections is a well run organization with exceptional staff and leadership. The administration of elections is a complex and tremendous responsibility. Making sure all validly cast ballots are counted is vital to the integrity of elections and to earning the confidence of the voters. Following the recommendations above will enhance current practices, and help protect the accuracy and transparency of Spokane County’s elections.

December 19, 2006

Samantha Duncan
Secretary of State's Office
P.O. Box 40229
Olympia, WA 98504-0229

Dear Ms. Duncan:

The Spokane County Elections Office appreciates the Secretary of State's review of our recount process. The review process helps insure that proper procedures are in place by providing an independent oversight of the process.

We agree with the Secretary of State's recommendation and suggestion contained in the report.

With regard to recommendation number one, in the future the Spokane County Elections Office will include a written explanation in the reconciliation report for any unaccounted ballots. In the past, the reasons were discussed in the canvassing board meeting but were not made part of the official written minutes.

With regard to suggestion number one, the Spokane County Elections Office is working towards a process to ensure that the number of ballots tabulated are reconciled as each count occurs.

Again, we appreciate the professionalism of the staff of the Secretary of State's Office during this review process.

Sincerely,

Vicky M. Dalton, CPA
Spokane County Auditor